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GAY RIGHTS

Group hopes to get measure banning sexual orientation bias on Missouri ballots



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JEFFERSON CITY • A new group in Missouri could soon start circulating petitions for a ballot measure that would make it illegal to discriminate against gays and lesbians in Missouri.

Aaron Malin, executive director of Missourians for Equality, said the group hopes to get the issue to voters in 2014.

“It’s wrong for people to be fired or evicted from their homes based on sexual orientation,” he said. “There’s the potential for Missouri to become one of those places where people realize this is no longer an issue of what is politically popular, it’s a matter of what’s right.”

The idea isn’t new. Democrats in the Missouri Legislature have proposed similar legislation for more than a

decade, but the bills have never made it to a floor vote.

Malin said the election last week, which resulted in veto-proof Republican majorities in the state House and Senate, has persuaded the group to seek a popular vote.

“Our Legislature is much more conservative than the general populous on this issue,” he said.

State law prohibits discrimination in housing and employment based on race, religion, national origin, gender, age and disability.

According to legal experts at the ACLU of Eastern Missouri, it is also illegal to discriminate against transgender people in Missouri — but the law doesn’t prohibit discrimination based on sexual orientation, and there is no federal law to cover the gap.

During a 2010 House committee hearing on one of the proposed bills, a representative from the state attorney general’s office testified that the civil rights division had to ignore complaints about discrimination against gays and lesbians because it’s not barred by state law.

Some efforts to lessen the potential for discrimination have been successful here in recent years, however.

Gov. Jay Nixon, a Democrat, quietly signed an executive order two years ago that prohibits discrimination based on sexual orientation for jobs in the state executive branch.

Several cities also have passed local ordinances to outlaw discrimination against gays and lesbians.

Clayton, Creve Coeur, Ferguson, Maplewood, Olivette, Richmond

Heights and University City, as well as the city of St. Louis, have included sexual orientation in anti-discrimination legislation in recent years, as have Columbia and Kansas City. Recently, Springfield also has considered similar language.

The Missouri-based gay advocacy group PROMO announced on Monday that it wants St. Louis County to update its nondiscrimination ordinance to include gender identity and sexual orientation.

Andrew Shaughnessy, PROMO's local field organizer, said he has been in discussions with County Executive Charlie A. Dooley and members of the County Council on the issue.

In the mid-1990s, when cities and counties first started considering such ordinances, a group tried to use the petition process to amend the Missouri Constitution to prohibit the state or local governments from including sexual orientation on the discrimination list.

The Amendment Coalition argued that expanding the law to cover sexual orientation would unfairly give homosexuals special rights.

According to the ACLU, 20 states offer no discrimination protection for gays and lesbians. Missouri is among the 14 that provide partial protection — based on Nixon's executive order, and the remaining 16 outright ban discrimination based on sexual orientation.

On Tuesday, voters in four states passed measures in favor of gay marriage, which Malin cited as a signal that popular opinion has shifted on gay-friendly legislation.

A poll conducted by North Carolina-based Public Policy Polling in Missouri this summer showed 64 percent of respondents believed gay couples should be able to legally marry or form civil unions.

Missourians for Equality must get about 150,000 signatures through a complex formula based on congressional districts to get the discrimination measure on the ballot.

While it has been reluctant to take up the anti-gay discrimination effort, the Missouri House drew attention earlier this year when it passed a bill that would have made it illegal for employers to discriminate against people because they own or use guns. The measure never came up for a vote in the Senate, but several lawmakers questioned the priority of protecting gun owners when there are no similar protections for gays and lesbians.

Some Republican members of the Legislature also drew a public backlash this year for proposing a bill that would have restricted discussions about sexual orientation in public schools.

Discrimination ban proposed

A petition drive seeks to ban discrimination on the basis of sexual orientation or gender identity in employment, housing and other areas.

- 16 states and the District of Columbia have such protections.

- 14 states have partial protection against such discrimination.

[Top of Page](#) [Home](#) [Full Site](#)

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